



PATENT
PD-3322

Smith
4-29-94
#4/10
at

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Enter Application of:)	
Thomas P. Castellano et al.)	Group Art Unit: unknown
Parent Serial No.: unknown)	
Filed: March 9, 1994)	Examiner: unknown
For: PEN-TYPE INJECTOR WITH A)	
MICROPROCESSOR AND BLOOD)	
CHARACTERISTIC MONITOR)	

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. § § 1.56, 1.97 and 1.98, the applicants submit the references listed on the attached Form PTO-1449. A copy of each reference is enclosed. Each reference is either in English, accompanied by an English translation or a brief explanation of the foreign language document if no translation is available.

The present statement is being filed prior to the receipt of the first Office Action in the application. Therefore, no fee is due, in accordance with 37 C.F.R. § 1.97. However, if it should be determined that a fee is required in order to ensure consideration of the above listed references, or for any other reason an insufficient fee has been paid, please charge any insufficiency to Deposit Account No. 19-3725. A duplicate copy of this statement is enclosed.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,
SPENSLEY HORN JUBAS & LUBITZ

Date: March 9, 1994

By: 
Paul H. Koveiman
Registration No. 35,228

1880 Century Park East
Fifth Floor
Los Angeles, CA 90067
(310) 553-5050

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	Examiner:	M. Mendez
Thomas P. Castellano et al.)		
Serial No.: 08/208,636)	Art Unit:	3306
Filed: March 9, 1994)		
For: PEN-TYPE INJECTOR WITH A)		
MICROPROCESSOR AND BLOOD)		
<u>CHARACTERISTIC MONITOR</u>)		

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

1. ☐ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☒ The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in §1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either:
 - (1) a final action under §1.113 or
 - (2) a notice of allowance under §1.311, whichever occurs first.

CERTIFICATION OR FEE

A. Included with this transmittal is

- i. ☒ a certification (set forth below) in accordance with 37 C.F.R. §1.97(e). (If for any reason the certificate set forth below should be unsatisfactory, the Commissioner is provisionally authorized to charge the \$220 fee (37 C.F.R. §1.17(p)) to Deposit Account No. 12-1820. A duplicate copy of this sheet is enclosed.)

OR

- ii. ☐ the attached fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$220.00).

3. ☐ The information disclosure statement transmitted herewith is being filed *after* a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first, but before, or simultaneously with the payment of the issue fee.

CERTIFICATION, PETITION AND FEE

A. In accordance with the requirements of 37 C.F.R. §1.97(d):

- i. Set forth below is a certification as specified in 37 C.F.R. §1.97(e).
- ii. Applicant hereby petitions for the consideration of the accompanying information disclosure statement. 37 C.F.R. §1.97(d)(ii).
- iii. Applicant submits the petition fee set forth in §1.17(i)(1). (\$130.00).

CERTIFICATION

(Required if 2Ai or 3 above is marked)

4. I, the person signing below, certify

- ☐ that each item of information contained in the information disclosure statement was cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

5. The Australian Laid Open Patent Application No. 55604/86 is the corresponding English language application claiming priority on PCT Publication WO 86/01728 which was cited in the PCT search report and PCT Written Opinion identified in Information Disclosure Statements submitted on August 16, 1995 and December 18, 1995, respectively.

6. ■ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 12-1820. A duplicate copy of this petition is enclosed.

Respectfully submitted,

LOEB & LOEB LLP

Date: FEBRUARY 27, 1996

By: Paul H. Kovelman
Paul H. Kovelman
Registration No. 35,228

10100 Santa Monica Boulevard, 22nd Fl.
Los Angeles, CA 90067-4164
(310) 282-2000

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed: Assistant Commissioner for Patents, Washington, D.C. 20231, on

Date of Deposit: FEBRUARY 27, 1996

PAUL H. KOVELMAN 35,228

Applicant, Assignee, or Registered Rep.


Paul H. Kovelman 2/27/96
Signature Date

In view of the foregoing, it is respectfully submitted that the application and all of the claims are in condition for allowance. Reexamination and reconsideration of the application, as previously amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is invited to call the undersigned attorney at (310) 282-2000 should the Examiner believe a telephone interview would advance the prosecution of the application.

Respectfully submitted,

Dated: December 18, 1995

By: 
Paul H. Kovelman
Reg. No. 35,228

LOEB and LOEB
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PLEASE NOTE THIS IS A NEW CORRESPONDENCE ADDRESS.

FORM PTO-1449
IREV. 7.801U.S. Department of Commerce
PATENT AND TRADEMARK OFFICEAttorney Docket
No. 8016/PD3322Serial No.
08/208,636**INFORMATION DISCLOSURE STATEMENT**

(Use several sheets if necessary)

Applicant: Thomas P. Castellano et al.

Filing Date
March 9, 1994

Group 3306

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number								Date	Name	Class	Sub- Class	Filing Date if Appro- priate
	AA	4	1	1	4	6	1	9		09/78	Wagner			
	AB	4	1	3	9	0	0	8		02/79	Wagner			
	AC	4	1	6	9	4	7	4		10/79	Wagner			
	AD	4	2	8	4	0	7	7		08/81	Wagner			
	AE	4	3	9	3	8	7	0		07/83	Wagner			
	AF	4	5	7	3	9	7	0		03/86	Wagner			
	AG	4	6	0	0	4	0	3		07/86	Wagner			
	AH													
	AI													
	AJ													
	AK													

FOREIGN PATENT DOCUMENTS

		Document Number								Date	Country	Class	Sub- Class	Translation	
														Yes	No
	AL	5	5	6	0	4	/	86		10/87	Australia			X	
	AM														
	AN														
	AO														
	AP														

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	
	AS	
	AT	
Examiner		Date Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.